

## Forest Service, USDA

## § 261.57

(g) Entering an area without any firefighting tool prescribed by the order.

(h) Operating an internal combustion engine.

(i) Welding, or operating an acetylene or other torch with open flame.

(j) Operating or using any internal or external combustion engine without a spark arresting device that is properly installed, maintained, and in effective working order in accordance with U.S. Forest Service Standard 5100-1.

(k) Violating any state law specified in the order concerning burning, fires or which is for the purpose of preventing, or restricting the spread of fires.

[42 FR 2957, Jan. 14, 1977; 42 FR 24739, May 16, 1977; as amended at 42 FR 35959, July 13, 1977; 46 FR 33521, June 30, 1981; 77 FR 58493, Sept. 21, 2012]

### § 261.53 Special closures.

When provided in an order, it is prohibited to go into or be upon any area which is closed for the protection of:

(a) Threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish.

(b) Special biological communities.

(c) Objects or areas of historical, archeological, geological, or paleontological interest.

(d) Scientific experiments or investigations.

(e) Public health or safety.

(f) Property.

(g) The privacy of tribal activities for traditional and cultural purposes. Closure to protect the privacy of tribal activities for traditional and cultural purposes must be requested by an Indian tribe; is subject to approval by the Forest Service; shall be temporary; and shall affect the smallest practicable area for the minimum period necessary for activities of the requesting Indian tribe.

[42 FR 2957, Jan. 14, 1977, as amended at 76 FR 3017, Jan. 19, 2011]

### § 261.54 National Forest System roads.

When provided by an order, the following are prohibited:

(a) Using any type of vehicle prohibited by the order.

(b) Use by any type of traffic prohibited by the order.

(c) Using a road for commercial hauling without a permit or written authorization.

(d) Operating a vehicle in violation of the speed, load, weight, height, length, width, or other limitations specified by the order.

(e) Being on the road.

(f) Operating a vehicle carelessly, recklessly, or without regard for the rights or safety of other persons or in a manner or at a speed that would endanger or be likely to endanger any person or property.

[42 FR 2957, Jan. 14, 1977, as amended at 46 FR 33521, June 30, 1981]

### § 261.55 National Forest System trails.

When provided by an order issued in accordance with § 261.50 of this subpart, the following are prohibited on a National Forest System trail:

(a) Being on a trail.

(b) Using any type of vehicle prohibited by the order.

(c) Use by any type of traffic or mode of transport prohibited by the order.

(d) Operating a vehicle in violation of the width, weight, height, length, or other limitations specified by the order.

(e) Shortcutting a switchback in a trail.

[55 FR 25832, June 25, 1990, as amended at 69 FR 41965, July 13, 2004; 70 FR 68291, Nov. 9, 2005]

### § 261.56 Use of vehicles off National Forest System roads.

When provided by an order, it is prohibited to possess or use a vehicle off National Forest System roads.

[42 FR 2957, Jan. 14, 1977, as amended at 66 FR 3218, Jan. 12, 2001]

### § 261.57 National Forest wilderness.

When provided by an order, the following are prohibited:

(a) Entering or being in the area.

(b) Possessing camping or pack-outfitting equipment, as specified in the order.

(c) Possessing a firearm or firework.

(d) Possessing any non-burnable food or beverage containers, including deposit bottles, except for non-burnable containers designed and intended for repeated use.

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- (e) Grazing.
- (f) Storing equipment, personal property or supplies.
- (g) Disposing of debris, garbage, or other waste.
- (h) Possessing or using a wagon, cart or other vehicle.

[42 FR 2957, Jan. 14, 1977, as amended at 49 FR 25450, June 21, 1984]

### § 261.58 Occupancy and use.

When provided by an order, the following are prohibited:

- (a) Camping for a period longer than allowed by the order.
- (b) Entering or using a developed recreation site or portion thereof.
- (c) Entering or remaining in a campground during night periods prescribed in the order except for persons who are occupying such campgrounds.
- (d) Occupying a developed recreation site with prohibited camping equipment prescribed by the order.
- (e) Camping.
- (f) Using a campsite or other area described in the order by more than the number of users allowed by the order.
- (g) Parking or leaving a vehicle in violation of posted instructions.
- (h) Parking or leaving a vehicle outside a parking space assigned to one's own camp unit.
- (i) Possessing, parking or leaving more than two vehicles, except motorcycles or bicycles per camp unit.
- (j) Being publicly nude.
- (k) Entering or being in a body of water.
- (l) Being in the area after sundown or before sunrise.
- (m) Discharging a firearm, air rifle, or gas gun.
- (n) Possessing or operating a motorboat.
- (o) Water skiing.
- (p) Storing or leaving a boat or raft.
- (q) Operating any watercraft in excess of a posted speed limit.
- (r) Launching a boat except at a designated launching ramp.
- (s) Possessing, storing, or transporting any bird, fish, or other animal or parts thereof, as specified in the order.
- (t) Possessing, storing, or transporting any part of a tree or other plant, as specified in the order.

- (u) Being in the area between 10 p.m. and 6 a.m. except a person who is camping or who is visiting a person camping in that area.

- (v) Hunting or fishing.
- (w) Possessing or transporting any motor or mechanical device capable of propelling a watercraft through water by any means.

- (x) Using any wheel, roller, or other mechanical device for the overland transportation of any watercraft.

- (y) Landing of aircraft, or dropping or picking up any material, supplies, or person by means of an aircraft, including a helicopter.

- (z) Entering or being on lands or waters within the boundaries of a component of the National Wild and Scenic Rivers System.

- (aa) Riding, hitching, tethering or hobbling a horse or other saddle or pack animal in violation of posted instructions.

- (bb) Possessing a beverage which is defined as an alcoholic beverage by State law.

- (cc) Possessing or storing any food or refuse, as specified in the order.

- (dd) [Reserved]

- (ee) Depositing any body waste in caves except into receptacles provided for that purpose.

[42 FR 2597, Jan. 14, 1977, as amended at 42 FR 35959, July 13, 1977; 43 FR 32136, July 25, 1978; 46 FR 33521, June 30, 1981; 52 FR 19347, May 22, 1987; 59 FR 31152, June 17, 1994]

## Subpart C—Prohibitions in Regions

### § 261.70 Issuance of regulations.

- (a) Pursuant to 7 CFR 2.60, the Chief, and each Regional Forester, to whom the Chief has delegated authority, may issue regulations prohibiting acts or omissions within all or any part of the area over which he has jurisdiction, for one or more of the following purposes:

- (1) Fire prevention or control.
- (2) Disease prevention or control.
- (3) Protection of property, roads, or trails.

- (4) Protection of threatened, endangered, rare, unique, or vanishing species of plants, animals, birds or fish, or special biological communities.

- (5) Protection of objects or places of historical, archaeological, geological or paleontological interest.